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HENRI DUONG
316 1/2 E GLENDON WAY
ALHAMBRA CA 91801

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MAR 26 2007

OFFICE OF PETITIONS

In re Application of :
Henri Duong :
Application No. 10/725,226 : **ON PETITION**
Filed: December 1, 2003 :
Title: Back Driving Automatic Brake :
System & Automatic Braking System :
for Equipping in all Vehicles,
Airplanes, Ships, Etc.

This is a decision on the petition to revive under 37 CFR 1.137(b), filed January 30, 2007.

The petition under 37 CFR 1.137(b) is **DISMISSED**.

Any request for reconsideration of this decision must be submitted within TWO (2) MONTHS from the mail date of this decision. Extensions of time under 37 CFR 1.136(a) are permitted. The reconsideration request should include a cover letter entitled "Renewed Petition under 37 CFR 1.137(b)."

The above-identified application became abandoned for failure to timely file a **proper** reply to the final Office action mailed December 30, 2005. This Office action set a shortened statutory

period for reply of three (3) months. Applicant filed a response on January 23, 2006, but by Advisory Action mailed February 14, 2006, the Examiner advised Applicant that the response would not be entered because it failed to place the application in condition for allowance. Applicant filed another response on February 17, 2006, but once again this reply failed to place the application in condition for allowance. No further reply with an extension of time under 37 CFR 1.136(a) having been received, the above-identified application became abandoned on March 31, 2006. A Notice of Abandonment was mailed on August 7, 2006. Applicant filed a petition to withdraw the holding of abandonment on August 18, 2006, as well as a petition to revive under 37 CFR 1.137(a) on September 28, 2006. Both petitions were dismissed in a decision mailed on October 16, 2006. Applicant filed a renewed petition October 23, 2006. However, the petition was dismissed in a decision mailed on January 16, 2007.

A grantable petition under 37 CFR 1.137(b) must be accompanied by: (1) the **reply** required to the outstanding Office action or notice, unless previously filed (i.e. an RCE, continuing application, or Notice of Appeal); (2) the petition fee set forth in 37 CFR 1.17(m), currently \$750 for a small entity; (3) a statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to this paragraph was unintentional; and (4) any terminal disclaimer (and fee as set forth in 37 CFR 1.20(d)) required pursuant to 37 CFR 1.137(d).

With the instant petition, applicant paid the petition fee and made the proper statement of unintentional delay. However, applicant did not submit the required reply to the December 30, 2005 final Office action. Applicant indicated that his reply in the form of an Amendment was previously filed on September 1, 2006. However, that Amendment did not place the application in condition for allowance.

With his renewed petition, applicant must submit either an RCE (and fee), continuing application (and fee), or Notice of Appeal (and fee).

Further correspondence with respect to this matter should be addressed as follows:

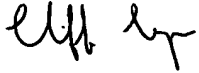
By mail: Mail Stop Petitions
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By FAX: (571)273-8300
Attn: Office of Petitions

Telephone inquiries concerning this decision should be directed to the undersigned at 571-272-3207.

A handwritten signature in black ink, appearing to read "Cliff Congo".

Cliff Congo
Petitions Attorney
Office of Petitions